

To: 'Gander - CDPHE, Craig'[craig.gander@state.co.us]; Schmittiel, Paula[Schmittiel.Paula@epa.gov]
Cc: doug.jamison@state.co.us[doug.jamison@state.co.us]; warren.smith@state.co.us[warren.smith@state.co.us]; Wharton, Steve[Wharton.Steve@epa.gov]; Sisk, Richard[Sisk.Richard@epa.gov]; Scott Schultz[Scott.Schultz@state.co.us]
From: Jennifer Robbins
Sent: Tue 9/2/2014 7:12:17 PM
Subject: RE: Upper Animas Site Management Strategy

Please include Scott Schultz on future communications; he is copied on this email.

Thank you

Jennifer Robbins

Assistant Attorney General

Natural Resources & Environment Section

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From: Gander - CDPHE, Craig [mailto:craig.gander@state.co.us]
Sent: Tuesday, September 02, 2014 1:09 PM
To: Schmittiel, Paula
Cc: doug.jamison@state.co.us; warren.smith@state.co.us; Jennifer Robbins; Wharton, Steve; Sisk, Richard
Subject: Re: Upper Animas Site Management Strategy

All,

In reading the distributed materials, I find several comments that I believe indicate a lack of understanding of the way the Animas River Stakeholders Group operates, including the following statements:

1. "ARSG vigorously opposed this proposal"
2. "ARSG may not be representing the broader community"
3. "ARSG members may have agendas that may not represent the broader community"

I have been attending ARSG meetings for four years, and have experienced the operation of this group. The ARSG's mission is to improve water quality and aquatic habitats in the Animas River watershed through a collaborative process designed to encourage the participation of all interested parties, without assigning anyone responsibility for current conditions.

There are no official "members", just participants, each of whom represents their own interests, whether they be the interests of mining companies, environmental organizations, land owners, private individuals, local governmental entities, or state and federal regulatory and land management agencies.

All meetings are open to the public. In the Group's own words, "In keeping with community-based problem solving, the group has chosen minimal internal structure. There is no hierarchy; only unspoken rules of respect, and the services of a coordinator to keep the effort focused. **Decisions are made by consensus, not by vote, and a feeling of teamwork prevails.**"

Therefore, I feel that the characterization of the ARSG as representing anything, other than the desire of a diverse population of individuals and organizations,

each with their own interests, to work together to improve water quality, implies that as a group, the ARSG has more power than it really has.

Craig Gander

Craig R. Gander

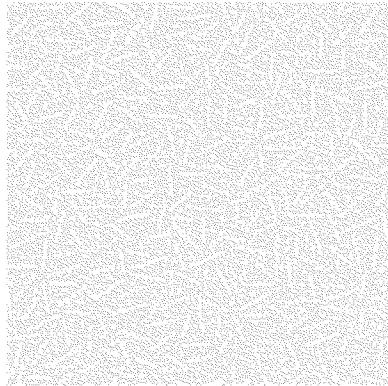
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On Tue, Sep 2, 2014 at 10:25 AM, Schmittiel, Paula <Schmittiel.Paula@epa.gov> wrote:



All – it occurred to me after our meeting last Thursday that we had not provided you a copy of the site management strategy in advance of the meeting. Attached is the strategy and 3 addendums. It includes a draft letter to Sunnyside Gold Co. (SGC) in response to their “game plan” that we had hoped would perhaps be from all 3 agencies – EPA, CDPHE and BLM. We will continue to discuss our strategy and how we wish to move forward with SGC as well as the community(s), etc.

EPA considers it draft as well as Enforcement Confidential, Deliberative Process and Attorney-Client Privileged.

Jennifer – Can you please forward this to Scott XX who is assigned to the site. Thanks.

Paula Schmittdiel

Remedial Project Manager

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